

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AMERICAN STEAMSHIP OWNERS MUTUAL
PROTECTION AND INDEMNITY ASSOCIATION, INC.,

Plaintiff,

-against-

04 Civ. 4309 (LAK)

ALCOA STEAMSHIP CO., et al.,

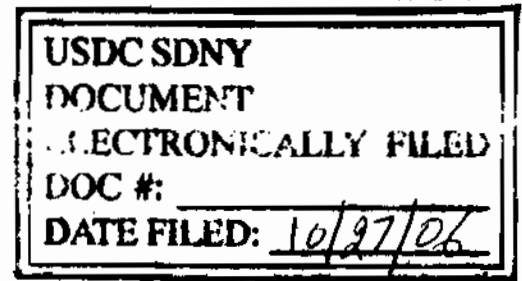
Defendants.
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ORDER

LEWIS A. KAPLAN, *District Judge*.

In view of the failure of the parties to agree upon a trial on a stipulated record, it is reasonably evident that a final pretrial conference would be fruitless. Accordingly,

1. On or before December 1, 2006, plaintiff shall serve and file affidavits containing the direct testimony of each of its witnesses
2. On or before January 8, 2007, defendants shall serve and file (a) affidavits containing the direct testimony of each of its witnesses and (b) a list of plaintiff's witnesses whom they wish to cross-examine.
3. On or before January 22, 2007, plaintiff shall serve and file (a) affidavits containing the rebuttal direct testimony of each of its rebuttal witnesses and (b) a list of defendants' witnesses whom they wish to cross-examine.
4. On or before January 29, 2007, defendants shall serve and file a list of plaintiff's rebuttal witnesses whom they wish to cross-examine.
5. Affidavits submitted by all parties should take care to ensure that all necessary foundation for the admissibility of statements contained therein is properly laid and shall refer to any exhibits by the designations they bear in the amended joint pretrial order.
6. All exhibits shall be submitted to chambers no later than January 29, 2007.

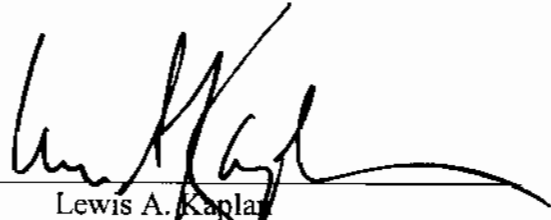


Counsel should not submit redundant, unnecessary or otherwise unhelpful material.

7. Following its review of all of the submissions, the Court will schedule appropriate trial time for cross-examination and shall consider whether and to what extent argument and additional briefing would be helpful.

SO ORDERED.

Dated: October 26, 2006



Lewis A. Kaplan
United States District Judge